

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Mar 11, 2025

SEAN F. MCAVOY, CLERK

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID ROGER FRANKLIN,

Defendant.

No. 1:23-CR-2026-SAB-1

**ORDER GRANTING MOTIONS AND
APPOINTING COUNSEL**

Before the Court are the Settlement Agreement and Stipulation re Interlocutory Sale of Property, ECF No. 92, Notice of Withdrawal and Motion for Appointment of Appeal Counsel, ECF No. 100, as well as the United States' Motion to Amend Judgment and Approve Stipulation re Interlocutory Sale of Property, ECF No. 102, and related Motion for Expedited Hearing, ECF No. 103. Defendant is represented by Greg Scott. The Government is represented by Michael Murphy and Letitia Sikes.

The Government and third-party Claimant Rebecca Franklin have reached settlement regarding her interest in Defendant's forfeited property and ask the Court to allow the interlocutory sale of the property. The Government also requests the Judgment, ECF No. 97, be amended to include the forfeiture of the property as noted at ECF No. 75. Finally, Mr. Scott withdraws as counsel and requests appellate counsel be appointed. Good cause exists to grant the requests.

Accordingly, **IT IS ORDERED:**

1. The Government's Settlement Agreement and Stipulation re Interlocutory Sale of Property, ECF No. 92, is **GRANTED**.

2. The Government's Motion for Expedited Hearing, ECF No. 103, is **GRANTED**.

ORDER GRANTING MOTIONS AND APPOINTING COUNSEL # 1

3. The Government's Motion to Amend Judgment and Approve Stipulation re Interlocutory Sale of Property, ECF No. 102, is **GRANTED**.

4. Pursuant to Fed. R. Crim. P. 36, the District Court Executive shall issue an amended judgment to include the forfeiture of the Defendant's personal interest in the assets listed in the preliminary order of forfeiture.

5. Pursuant to Fed. R. Crim. P. 32.2(b)(7), in accordance with Supplemental Rule G(7)(b), the Court approves interlocutory sale of the fifth wheel property subject to the terms of the Agreement and Stipulation, ECF No. 92.

6. Defendant's Notice of Withdrawal and Motion for Appointment of Appeal Counsel, ECF No. 100, is **GRANTED**.

7. The Court **appoints** the Federal Defenders of Eastern District of Washington & Idaho to represent Defendant on appeal.

The District Court Executive is directed to file this Order, enter the amended judgment, and provide copies to counsel **AND TO** the Federal Defenders.

DATED this 11th day of March 2025.



A handwritten signature in blue ink that reads "Stanley A. Bastian". The signature is fluid and cursive, with a horizontal line drawn underneath it.

Stanley A. Bastian
Chief United States District Judge